

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7479

BILL NUMBER: HB 1573

NOTE PREPARED: Jan 12, 2009

BILL AMENDED:

SUBJECT: Various professions matters.

FIRST AUTHOR: Rep. Welch

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: Pending

Summary of Legislation: Allows a physician assistant (PA) to certify medical conditions for disability placards and operator's licenses. Allows board approved activities to meet certain professional's continuing education requirements. Exempts a health care provider from liability for health records destroyed in a natural disaster. Specifies the service of notices and time computations for disciplinary actions. Provides that a qualifying pharmacist is subject to disciplinary actions if the pharmacist knew or should have known of a violation at the pharmacy. Allows a board to require restitution as part of a disciplinary sanction. Allows a board that regulates certain health professionals to establish the requirements to manage health records when a practice has been discontinued. Exempts certain sports team healthcare practitioners who provide treatment for their team members from state license requirements. Requires a barber shop and barber school to be inspected before an initial license is issued. Removes staggered license barber renewal system. Provides that a barber instructor's license and barber's license expire at the same time. Allows a person to take the barbers examination not more than five times without additional study. Requires 100 hours of additional study before taking a barber exam for the sixth time. Specifies that the practice of cosmetology does not include massage therapy. Requires cosmetology schools and certain salons to be inspected before an initial license is issued. Amends the education and practice experience requirements for reciprocity for certain professionals. Provides that a beauty culture practitioner's license and beauty culture instructor's license expire at the same time. Allows an esthetician with a temporary permit to work under the supervision of a cosmetologist. Allows the board to inspect a tanning facility before issuing a license. Establishes a fee for dentist's licenses or certain permits. Requires the fee to be placed in the dental recruitment fund. Establishes a program to provide grants to recruit dentists to underserved areas. Requires a massage therapist to have liability insurance and to display the therapist's certification. Removes the expiration date from the statute allowing temporary fellowship permits. Allows a PA to provide medical referrals to an occupational therapist. Allows certain persons who are in a doctoral program to either apply for a marriage and family

therapist associate license or accrue clinical experience. Provides the means that marriage and family therapist postdegree experience is accumulated. Requires that a person who fails the marriage and family therapist exam three times must apply to the board to retake the exam. Allows a PA to provide a referral for physical therapy. Amends the list of PA approved programs. Removes the requirement that a PA's supervising physician be approved or registered with the medical licensing board. Removes the requirement that a PA with a temporary license must practice onsite with the supervising physician. Removes the requirement that a PA must engage in a dependant practice, under the supervision of the supervising physician, and within the supervising physician's scope of practice. Allows a PA to provide a medical service that: (1) is delegated by the supervising physician if the service is within the PA's skill, is a component of the physician's scope of practice, and is provided with supervision; or (2) is not a task within the scope of practice of the supervising physician if the physician has adequate training, oversight skills, and supervisory and referral arrangements to ensure competent provision of the service by the PA. Removes certain requirements from the PA's supervisory agreement and board approval of the agreement. Allows a PA to: (1) pronounce the death of an individual; and (2) authenticate with the PA's signature any form that may be authenticated by a physician's signature. Requires a supervising physician to not have certain disciplinary restrictions and to maintain an agreement with the PA. Allows the real estate commission to use an emergency rule to adopt the Uniform Standards of Professional Appraisal Practice. Allows the board of funeral and cemetery service to designate a successor seller when the initial seller does not comply with certain requirements. Repeals laws concerning: (1) cosmetology license renewal; (2) esthetician reciprocity requirements; (3) inspection of the funeral director examination; (4) PA's definition of "accrediting agency"; (5) use of a PA testing company; (6) the limit on the number of PAs a physician may supervise; and (7) information that a PA and supervising physician must submit to the medical licensing board. Makes conforming changes.

Effective Date: June 30, 2008 (retroactive); July 1, 2008 (retroactive); July 1, 2009.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Chris Baker, 317-232-9851.